

STATE OF INDIANA)	IN THE MARION CIRCUIT COURT
)	SS:
COUNTY OF MARION)	CAUSE NO. 49D120701PL003606
STATE OF INDIANA,)	
)	
Plaintiff,)	
)	
v.)	
)	
BRIAN HANRAHAN, individually and)	
Doing business as Quick Fit for Women;)	
CLUB FIT DEVELOPMENT, LLC; and)	
CLUB MARKETING SYSTEMS, INC.,)	
)	
Defendants.)	

CONSENT JUDGMENT

The Plaintiff, State of Indiana, by Attorney General Steve Carter and Deputy Attorney General Lisa Ward, and the Defendants, Brian Hanrahan, individually and doing business as Quick Fit for Women, Club Fit Development, LLC, and Club Marketing Systems, Inc., hereby agree to entry of a Consent Judgment without trial or adjudication of any issue of fact or law herein.

The parties believe it is in their best interest to resolve the issues raised by the State of Indiana and avoid further litigation. This Consent Judgment does not constitute an admission by the Defendant of any wrongdoing, nor shall it be construed as abandonment by the Attorney General of his position that the Defendant violated Indiana's Health Spa Services and Deceptive Consumer Sales Acts. The parties consent to entry of a final decree in this proceeding by the Court and accept this Consent Judgment as final on the issues resolved herein.

JURISDICTION

1. This Court has jurisdiction and venue over the subject matter of this action and the parties hereto.

2. The State of Indiana's Complaint states a cause of action pursuant to the Indiana Health Spa Services Act, Indiana Code § 24-5-7-1, *et seq.* and the Indiana Deceptive Consumer Sales Act, Indiana Code § 24-5-0.5-1, *et seq.*

3. Defendant Quick fit for Women was a health spa facility with two (2) locations, in Indianapolis and Fishers, Indiana, which are longer in business.

4. Defendant Club Fit Development, LLC is a domestic limited liability company with a principal place of business in Hamilton County, located at 1950 East Grayhound Pass, Carmel, Indiana.

5. Defendant Club Marketing Systems, Inc. is a domestic corporation with a principal place of business in Hamilton County, located at 1950 East Grayhound Pass, Carmel, Indiana.

6. Defendant Hanrahan was/is, at all relevant times, the owner and/or an officer of the above-named Defendant businesses and resides in Hamilton County, at 1950 Grayhound Pass, Carmel, Indiana.

RELIEF ORDERED

7. Defendants, their agents, representatives, employees, successors, and assigns are permanently enjoined from engaging in the following acts in transactions with Indiana consumers:

a. Requiring or attempting to require consumers to waive their rights under the Indiana Health Spa Services Act, Ind. Code § 24-5-7-1, *et seq.*;

b. Representing expressly or by implication that the subject of a consumer transaction has characteristics or benefits it does not have, which Defendants know or should reasonably know it does not have;

c. Representing that a consumer transaction involves or does not involve certain rights, remedies, or obligations, if the representation is false and Defendants know or should reasonably know that the representation is false; and

d. Representing that Defendants are able to complete the subject of a consumer transaction within a stated or reasonable period of time, when Defendants know or reasonably should know they cannot.

RESTITUTION AND COSTS

8. Defendants acknowledge they have cancelled the contracts of and shall pay consumer restitution, through the Indiana Attorney General's Office, to the following consumers in the following amounts, pursuant to Indiana Code § 24-5-0.5-4(c):

a.	Rosemarie DaPuzzo	\$314.82
b.	Anna Marie Brown-Mitchell	149.88
c.	Kathleen Johnson	174.90
d.	Susan Sitzler	34.98
e.	Judith Lanier	104.85
f.	Janet Smith	314.82
g.	Christy Leavitt	74.98
h.	Deborah Newcomb	209.88
i.	Romance Ross	58.00
j.	Virginia Clevenger	78.00
k.	Diane Farrell	69.90
l.	Molly Carlson	209.88

9. Defendants shall pay costs in the amount of One Thousand One Hundred Dollars (\$1,100.00) to the Office of the Attorney General, pursuant to Ind. Code § 24-5-0.5-4(c)(3).

10. On Count II of the Plaintiff's Complaint, the Defendants shall pay civil penalties pursuant to Ind. Code §24-5-0.5-4(g) for the Defendants' knowing violations of the Deceptive Consumer Sales Act, in the amount of Five Thousand Dollars (\$5,000.00) per violation, for a total amount of Sixty Thousand Dollars (\$60,000.00), payable to the State of Indiana.

11. On Count III of the Plaintiff's Complaint, the Defendants shall pay civil penalties pursuant to Ind. Code §24-5-0.5-8 for the Defendants' intentional violations of the Deceptive Consumer Sales Act, in the amount of Five Hundred Dollars (\$500.00), per violation, for a total of Six Thousand Dollars (\$6,000.00), payable to the State of Indiana.

CONTINUING JURISDICTION

12. For the purpose of enforcing the provisions of this Consent Decree, the Defendants waive any objection regarding the Court's jurisdiction to punish for contempt and agree to appear on proper notice of a failure to comply with any of the provisions of this Judgment.

IN WITNESS WHEREOF, the parties have executed this Consent Judgment this 2nd day of April, 2007.

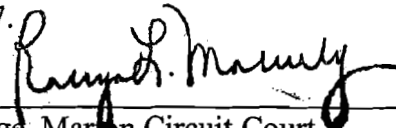
STATE OF INDIANA
STEVE CARTER
Attorney General of Indiana

by: Lisa Ward
Lisa Ward
Deputy Attorney General
Attorney No. 2614049

Brian Hanrahan
Brian Hanrahan
Quick Fit for Women
CLUB FIT DEVELOPMENT, LLC
CLUB MARKETING SYSTEMS, INC.

ALL OF WHICH IS APPROVED, ORDERED, ADJUDGED AND DECREED

this ____ day of APR 05 2007, 2007.

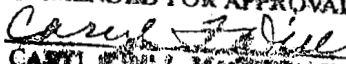


Judge, Marion Circuit Court

Distribution:

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Brian Hanrahan

RECOMMENDED FOR APPROVAL

CAROL F. HILL, CLERK OF COURT